

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

**Cornel West, et al.**

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)

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Plaintiff(s),

v.

Civil Action No.

) Civil Action No. 2:24-cv-01349

**Pennsylvania Department of State**

)

**Al Schmidt, in his Official Capacity**

)

**as Secretary of the Commonwealth**

Defendant(s).

**STIPULATION SELECTING ADR PROCESS**

Counsel report that they have met and conferred regarding Alternative Dispute Resolution (ADR) and have reached the following stipulation pursuant to L.R. 16.2 and the Court's ADR Policies and Procedures.

**I. PROCESS**

Select one of the following processes:

\_\_\_\_\_ Mediation

X \_\_\_\_\_ Early Neutral Evaluation (ENE)

\_\_\_\_\_ Court sponsored Binding<sup>1</sup> Arbitration

\_\_\_\_\_ Court sponsored Non-binding Arbitration

\_\_\_\_\_ Other (please identify process and provider)

**If you are utilizing a private ADR process, such as the American Arbitration Association, be advised that the case is still governed by the Court's ADR Policies and Procedures. It is the responsibility of counsel to ensure that all of the proper forms are timely submitted and filed, as required by Policies and Procedures.**

**COSTS**

The parties have agreed to share the ADR costs as follows (do not complete percentages for Court sponsored arbitration. For that process, costs are paid by the Court in accordance with 28 USC §658.):

50 \_\_\_\_\_ % by Plaintiff(s)

50 \_\_\_\_\_ % by Defendant(s)

\_\_\_\_\_ % by Third Party Defendant(s)

If a dispute arises as to compensation and costs for the mediator/neutral evaluator/private arbitrator, the Court will set reasonable compensation and costs.

<sup>1</sup>For binding arbitration, please complete form "Stipulation to Binding Arbitration" located on the Court's website at [www.pawd.uscourts.gov](http://www.pawd.uscourts.gov)

### III. NEUTRAL

The parties hereby designate by agreement the following individual to serve as a Neutral in the above-styled action:

Name of Neutral: Mark Hamilton, Esq.  
Address of Neutral: 811 Camp Horne Rd., Ste. 220, Pittsburgh PA 1537  
Telephone & FAX Numbers: 412-261-3232  
Email address of Neutral: \_\_\_\_\_  
**Date of ADR Session:** March 6, 2025

The parties represent that they have contacted the selected prospective neutral and have determined that the neutral is available to conduct the ADR session within the time prescribed by the Court's Policies and Procedures and that the neutral does not have a conflict.

### IV. PARTICIPANTS

Name and title of the individual(s) who will be attending the mediation or early neutral evaluation session, **in addition to counsel**, in accordance with **Section 2.7 (Attendance at Session)** of the Court's ADR Policies and Procedures:

Matthew H. Haverstick  
Shohin G. Vance  
Samantha G. Zimmer  
Klainbard LLC  
Attorney for Plaintiff

Cornel West, et al.  
Plaintiffs

Stephen R. Kovatis  
Jacob B. Boyer  
Office of Attorney General  
Attorney for Defendants

Pennsylvania Department of State and Al Schmidt,  
in his capacity as Secretary of the Commonwealth

If there is insufficient space to list all parties who will be attending the session, please add additional sheets as necessary.

Each party certifies that the representative(s) attending the ADR session on its behalf has full and complete settlement authority, **as specified in sub-section (A)(1-3) of the above section of the Court's ADR Policies and Procedures.**

## V. ACKNOWLEDGMENT

We, the undersigned parties to this action, declare that this stipulation is both consensual and mutual.

Dated: January 24, 2025

/s/ Matthew H. Haverstick

Dated: January 24, 2025

/s/ Stephen R. Kovatis

Rev. 4/2017